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FILED & ENTERED

AUG 16 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

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CHANGES MADE BY COURT

12 Special Counsel to Richard A. Marshack, Chapter 11 Trustee

13 **UNITED STATES BANKRUPTCY COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

15 In re:
16 THE LITIGATION PRACTICE GROUP P.C.,
17 Debtor.

Case No.: 8:23-bk-10571-SC

Adv. Proc. No. 8:24-ap-01068-SC

Chapter 11

18 RICHARD A. MARSHACK,
19 Plaintiff,
20 v.
21 ARASH ASANTE BAYROOTI, a California
22 resident,
23 Defendant.

**TEMPORARY RESTRAINING ORDER AS
TO DEFENDANT ARASH ASANTE
BAYROOTI AND THE ARASH BAYROOTI
LIVING TRUST AND ORDER SETTING
HEARING ON PRELIMINARY INJUNCTION**

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1 The Court has read and considered the Plaintiff's Emergency Motion for Application for a
2 Right to Attach Order and Issuance of Writ of Attachment, or Alternatively, for a Temporary
3 Protective Order ("Motion") [Dkt. No. 11] filed pursuant to Federal Rule of Civil Procedure 64
4 made applicable to this adversary proceeding pursuant to Federal Rule of Bankruptcy Procedure
5 7064 and CCP § 484.090(a), the simultaneously filed Memorandum of Points and Authorities in
6 Support of the Motion ("Memorandum") [Dkt. No. 12], the Declaration of Trustee Richard A.
7 Marshack in Support of the Motion ("Declaration") [Dkt. No. 13], and the Defendant's Opposition
8 to the Motion [Dkt. No. 20] and Evidentiary Objections to the Declaration [Dkt. No. 19]
9 (collectively "Opposition"). The Court, having held a hearing on the Motion at 1:30 p.m. on August
10 15, 2024 pursuant to Local Bankruptcy Rule 9075-1, having considered the pleadings on file and
11 having heard the arguments of counsel for and against the Motion at the hearing, and having placed
12 its findings of fact and conclusions of law in support of this Order orally on the record at the hearing,
13 and finding that exigent circumstances exist and good cause appearing therefor, and being fully
14 advised in all respects; hereby **ORDERS AS FOLLOWS:**

15 1. The Court grants Trustee's request for a Right to Attach Order and Order for Issuance
16 of Writ of Attachment. The Right to Attach Order and Order for Issuance of Writ of Attachment
17 are being separately lodged.

18 2. Pending service and recording of the Writ of Attachment, a Temporary Restraining
19 Order is hereby entered in favor of the Plaintiff pending a subsequent hearing on a Preliminary
20 Injunction, set for August 29, 2024 at 10:00 a.m. (the "Preliminary Injunction Hearing").

21 3. Effective immediately, pursuant to this Order, the Defendant Arash Asante Bayrooti
22 ("Defendant") and the Arash Bayrooti Living Trust shall be and hereby are, jointly and severally,
23 enjoined, restrained, and prohibited from:

24 a. Transferring, selling, encumbering, or otherwise making unavailable to the Trustee,
25 whether through action or inaction, the real property located at 23 Costa Del Sol,
26 Dana Point, California, 92629; and

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b. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, relinquishing, spending, withdrawing, granting a lien or security interest or other interest in, disposing of, or otherwise transferring or making unavailable to the Trustee any funds on deposit as of August 13, 2024 in the Defendant's four (4) checking accounts and two (2) money market accounts held at the U.S. Bank branch located at 24801 Del Prado, Dana Point, CA 92629-2852, as well as the brokerage account held at Charles Schwab, 27201 Puerta Real #100, Mission Viejo, CA 92691-8570 (collectively, the "Accounts").

9 4. The Accounts affected by this Order shall include all Accounts of Defendant as of
10 August 13, 2024, with the qualification that Defendant shall be permitted to withdraw up to an
11 aggregate total amount of \$30,000 from the Accounts while this Order is in place.

IT IS SO ORDERED.

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Date: August 16, 2024



Scott C. Clarkson
United States Bankruptcy Judge